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13 Attorneys for Defendant
14 GOOGLE INC.

15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 ORACLE AMERICA, INC.,

20 Plaintiff,

21 v.

22 GOOGLE INC.,

23 Defendant.

Case No. 3:10-cv-03561-WHA

**DECLARATION OF DANIEL
PURCELL IN SUPPORT OF GOOGLE
INC.'S MOTION TO STRIKE
PORTIONS OF DR. JAMES KEARL'S
EXPERT REPORT**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

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25 **FLED UNDER SEAL**
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1 I, DANIEL PURCELL, declare as follows:

2 1. I am a partner in the law firm of Keker & Van Nest LLP, counsel to Google Inc.
3 (“Google”) in the present case. I submit this declaration in support of Google’s Motion to Strike
4 Portions of Dr. James Kearl’s Expert Report. I have knowledge of the facts set forth herein, and
5 if called to testify as a witness thereto could do so competently under oath.

6 2. Attached as **Exhibit A** are true and correct copies of excerpted pages from the
7 transcript of the deposition of Dr. James Kearl, taken March 26, 2012.

8 I declare under penalty of perjury that the foregoing is true and correct and that this
9 declaration was executed at San Francisco, California on April 2, 2012.

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11 By: /s/ Daniel Purcell
12 DANIEL PURCELL
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EXHIBIT A

FILED UNDER SEAL